HI NPDES Program FY13 EOY Agenda

Highlights:

1. Significantly improved permit quality – RPAs being conducted, WQBELs being applied, impairments/TMDLs and other permit-specific issues (i.e. appropriate WET species) being addressed.
2. Established approach for implementation of nutrient WQS in permits.
3. Established approach for assessing assimilative capacity.
4. Obtained CWA 303(c) approval for implementation of compliance schedules for WQBELs.

FY13 HI Permit Issuance End of Year Summary (*see table below*)**:**

1. FY13 Results:
   a. Completed 6 of 26 (23%) permit commitments in FY13.
   b. Overall %current increased from 69% in FY12 to 86% FY13, but mostly due to increase in stormwater minors.
   c. Majors %current increased from 44% in FY12 to 56% FY13.
2. *Into FY14 Results:* reissued 12 general permits with staggered expiration dates to spread out future workload associated with rule changes, and reissued 2 Majors and 2 non-stormwater minors.

Performance Concerns:

1. FY13 commitments not met.
   - Recommendations:
     i. Focus on reissuance of Major permits, including carryover from FY13 (5 permits).
     ii. Adhere to the turn-around times included in the contract schedule.
     iii. Adhere to deadlines provided to discharger for comments/information (no extensions).
     iv. Reduce resources spent on individual stormwater minor permits through issuance of general permit for Class 1(a) and AA waters. Schedule?

DOH FY14 Plan:

1. Proposed FY14 permit issuance schedule (*see below*) – reissue 2 majors, 1 major MS4, 6 minor MS4s, 5 non-stormwater minors. (Contractor support in progress for 5 permits).
2. Other efforts/Training Needs
   a. TRE/TIE training status

b. Fact sheet development review and Q & A – We made a consistency document, but it is very incomplete. Having a training or maybe a group discussion/conference call would be a good refresher to the engineers working on the permit issuance schedule and helpful to the new engineers that will be working on the permit issuance schedule. We have 4 newer CWB engineers that I don't think you met before (Marianne, Scott, Glenn, and Colin). Marianne and Scott are working on the FY14 permits and will be working on the FY15 permits. Glenn and Colin are going to help with the FY 15 permits. Glenn is also going to help me with the revisions to HAR 11-54 (until the WQS position is filled). We lost Mark Tomomitsu this past July and will have to fill his position. (We submitted the paperwork before Mark left, but we are still waiting for the approval to fill the position.)

c. Sampling (including set monitoring frequencies) and other requirements to demonstrate compliance with all components of HAR 11-54 (i.e. antideg., designated uses, numeric and narrative criteria).

d. Guidance for evaluation/acceptability of ZOM/dilution studies.

e. Examples of correct ways to apply intake credits. We are proposing intake credits in the next revision to HAR 11-54.

f. Do we need to include clarification on the NPDES permit shield [CWA Section 402(k)] in HAR 11-55? If we don't specify a limit for a certain pollutant parameter in the NPDES permit, can the Permittee discharge any quantity of this pollutant? Is the Permittee prohibited from discharging pollutants they did not disclose in the application? If the NPDES permit does not specify effluent limits for all toxics, but the Standard NPDES permit condition is to comply with the Basic WQS which includes the toxic criteria, should CWB require the Permittee to take and analyze samples if there is a concern/complaint, or should CWB take the samples and make the Permittee pay for the sample collection and analyses?

g. A system to enforce every requirement in HAR 11-54 and 11-55 (for point source dischargers, non-point source dischargers, people with a permit, and people without a permit). This system needs to have decision rules, minimum consequences for non-compliance, and specific action items for every conceivable situation. [Example: If X happens, then the discharger and CWB knows Y has to happen. If Y does not occur within the set time period, immediate penalties need to be issued to the discharger.]

FY13 HI Permit Issuance End of Year Summary

	# Committed to Issue	# Issued By EOY	% FY13 Schedule Completed	# Current / Total EOY 2013	% Current EOY 2013
Majors	8	1[a]	13%	10/18	56%
Major MS4s	1	1	100%	2/2	100%
Non-SW Minors	5	4[b]	80%	32/37	86%
Minor MS4s	n/a	n/a	n/a	0/6	0%
SW Minors	n/a	n/a	n/a	145/146	99%
General Permits	12	0[c]	0%	1/13	8%
Total	**26**	**6**	**23%**	**190/222**	**86%**

[a]1 major (Wailua) issued 10/1/13, but not counted by EOY.

[b]1 non-stormwater minor (Maui Ocean Center) issued 10/4/13, but not counted by EOY.

[c]GPs later issued in November 2013.

FY14 Permit Issuance Schedule (*Major Facilities, Contractor Supported)

First Quarter (October – December 2013)

1. US Army Garrison MS4
2. Maui Ocean Center

Second Quarter (January – March 2014)

3. Honolulu International Airport Small MS4
4. Hawaii Army National Guard Maintenance Shops and Small MS4 on Oahu

Third Quarter (April – June 2014)

5. Marine Corps Base Hawaii MS4
6. Navy MS4
7. Papaikou-Paukaa WWTP

Fourth Quarter (July – September 2014)

8. Napili Well "A" GAC
9. Hawaii Institute of Marine Biology
10. Kahului Generating Station*
11. East Honolulu WWTP*
12. Naval Information Operations CMD Hawaii
13. City and County of Honolulu MS4*
14. Oahu Schools Small MS4

FY13 Carryover Permits:

1. Honouliuli WWTP
2. Sand Island WWTP
3. Kailua WWTP
4. Chevron Refinery
5. MCB Kaneohe Bay WWTP

Previous Carryover Permit:

6. Hilo WWTP